

Minutes of the Regular Business Meeting of the  
Board of Mayor and Aldermen of the City of Kingsport, Tennessee  
Tuesday, February 5, 2013, 7:00 PM  
Large Court Room – City Hall

PRESENT:

Board of Mayor and Aldermen

Mayor Dennis R. Phillips, Presiding

Alderman Valerie Joh

Alderman Mike McIntire

Vice-Mayor Tom C. Parham

Alderman Tom Segelhorst

City Administration

John G. Campbell, City Manager

J. Michael Billingsley, City Attorney

James H. Demming, City Recorder

- I. **CALL TO ORDER:** 7:00 p.m., by Mayor Dennis R. Phillips.
- II.A. **PLEDGE OF ALLEGIANCE TO THE FLAG:** Vice-Mayor Tom C. Parham.
- II.B. **INVOCATION:** Gary Bement, Retired Pastor & Retired Air Force Chaplain.
- III. **ROLL CALL:** By City Recorder Demming. Absent: Alderman John Clark and Alderman Jantry Shupe.
- IV. **RECOGNITIONS AND PRESENTATIONS.** None.
- V. **APPROVAL OF MINUTES.**

Motion/Second: McIntire/Joh, to approve minutes for the following meetings:

A. January 22, 2013 Regular Work Session

B. January 22, 2013 Regular Business Meeting

Approved: All present voting "aye."

VI. **COMMUNITY INTEREST ITEMS.**

AA. **PUBLIC HEARINGS.** None.

A. **PUBLIC COMMENT.** Mayor Phillips invited citizens in attendance to speak about any of the remaining agenda items. There being no one coming forward to speak, the Mayor closed the public comment segment.

B. **BUSINESS MATTERS REQUIRING FIRST READING.**

1. **Consideration of an Ordinance to Create a Special Project Account for Receipt of Reimbursements for a Library Services and Technology Act (LSTA) Grant to Purchase Technology Equipment (AF: 36-2013).**

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Motion/Second: Segelhorst/Joh, to pass:

AN ORDINANCE TO AMEND THE GENERAL PROJECT – SPECIAL REVENUE FUND BUDGET BY APPROPRIATING GRANT FUNDS RECEIVED FROM THE LIBRARY SERVICES AND TECHNOLOGY ACT FOR THE YEAR ENDING JUNE 30, 2013; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting “aye.”

**2. Consideration of a Resolution Authorizing the Mayor to Sign All Applicable Documents from the State of Tennessee, Department of General Services for Department of Transportation for the Provision of the Design and Installation of Waterline to the I-26 Kingsport Welcome Center; and a Budget Ordinance to Appropriate the Funding (AF: 35-2013).**

Motion/Second: McIntire/Parham, to pass:

**Resolution No. 2013-119,** A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO RECEIVE A STATE OF TENNESSEE DEPARTMENT OF GENERAL SERVICES FOR DEPARTMENT OF TRANSPORTATION GRANT FOR THE INTERSTATE 26 WELCOME CENTER WATERLINE

Passed: All present voting “aye.”

Motion/Second: Joh/Segelhorst, to pass:

AN ORDINANCE TO AMEND THE WATER PROJECT FUND BUDGET BY APPROPRIATING GRANT FUNDS RECEIVED FROM THE STATE OF TENNESSEE DEPARTMENT OF TRANSPORTATION; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting “aye.”

**C. BUSINESS MATTERS REQUIRING FINAL ADOPTION.**

**1. Consideration of Ordinances to Annex/Amend Zoning of the Lamberth Street Annexation and Consideration of a Resolution Adopting the Plan of Services (AF: 21-2013).**

Motion/Second: McIntire/Joh, to pass:

**ORDINANCE NO. 6285,** AN ORDINANCE TO ANNEX THAT CERTAIN TERRITORY ADJOINING THE PRESENT CORPORATE BOUNDARIES OF THE CITY OF KINGSFORT, EMBRACING THAT CERTAIN PART OF THE 10<sup>TH</sup> CIVIL DISTRICT OF SULLIVAN COUNTY, TENNESSEE, AND KNOWN AS THE LAMBERTH STREET ANNEXATION, AS HEREINAFTER DESCRIBED; TO INCORPORATE THE SAME WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF KINGSFORT, TENNESSEE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Joh, McIntire, Parham, Segelhorst and Phillips voting “aye.”

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Motion/Second: McIntire/Parham, to pass:

**ORDINANCE NO. 6286**, AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO ZONE PROPERTY ALONG LAMBERTH STREET TO R-1B, RESIDENTIAL DISTRICT IN THE 10<sup>TH</sup> CIVIL DISTRICT OF SULLIVAN COUNTY; TO FIX A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Joh, McIntire, Parham, Segelhorst and Phillips voting "aye."

**2. Consideration of an Ordinance to Rezone Property along Fort Henry Drive to B-3, General Business District (AF: 13-2013).**

Motion/Second: McIntire/Joh, to pass:

**ORDINANCE NO. 6287**, AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO ZONE PROPERTY ALONG FORT HENRY DRIVE TAX MAP 92N, GROUP C, PARCELS 5.00 AND 10.00 TO B-3, GENERAL BUSINESS DISTRICT, IN THE 14<sup>TH</sup> CIVIL DISTRICT OF SULLIVAN COUNTY; TO FIX A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Joh, McIntire, Parham, Segelhorst and Phillips voting "aye."

**3. Consideration of an Ordinance to Rezone Property along South John B. Dennis Highway and Old Wilcox Drive to BC, Business Conference District (AF: 14-2013).**

Motion/Second: McIntire/Segelhorst, to pass:

**ORDINANCE NO. 6288**, AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO ZONE PROPERTY ALONG SOUTH JOHN B. DENNIS HIGHWAY AND OLD WILCOX DRIVE TAX MAP 76I, PARCELS 5.00, 5.10 and A PORTION OF PARCEL 6.00 TO BC, BUSINESS CONFERENCE DISTRICT, IN THE 13<sup>TH</sup> CIVIL DISTRICT OF SULLIVAN COUNTY; TO FIX A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Joh, McIntire, Parham, Segelhorst and Phillips voting "aye."

**D. OTHER BUSINESS.**

**1. Consideration of a Resolution Authorizing the Mayor to Execute a CDBG-R Closeout Agreement, Grant Number B-09-MY-47-0004, with the Department of Housing and Urban Development (AF: 33-2013).** City Manager Campbell stated this was the last of the stimulus funds that were used for the KAHR [Kingsport Alliance for Housing Revitalization] program. He pointed out this closeout agreement was required.

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Motion/Second: Segelhorst/Parham, to pass:

**Resolution No. 2013-120**, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A GRANT CLOSE-OUT AGREEMENT WITH THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR 2009 COMMUNITY DEVELOPMENT BLOCK GRANT-RECOVERY PROGRAM (ARRA) FUNDING

Passed: All present voting "aye."

**2. Consideration of a Resolution Authorizing the Mayor to Sign an Agreement with Walters State Community College and the City of Kingsport (AF: 34-2013).**

Motion/Second: Segelhorst/McIntire, to pass:

**Resolution No. 2013-121**, A RESOLUTION APPROVING AN AGREEMENT WITH WALTERS STATE COMMUNITY COLLEGE AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

Passed: All present voting "aye."

**3. Consideration of a Resolution to Enter into a Demand Response Agreement with EnerNOC, Inc. to Participate in the PJM Load Response Program and Authorize the Mayor to Sign All Applicable Documents (AF: 38-2013).** City Manager Campbell provided details on this item, noting that major pieces of equipment have been identified in the water and sewer system that draw more electricity when they are overloaded. This program will allow the city to be notified in such instances and can then respond by having the power shut off to certain pumps at certain times to compensate for the overload.

Motion/Second: Segelhorst/McIntire, to pass:

**Resolution No. 2013-122**, A RESOLUTION APPROVING AN AGREEMENT WITH ENERNOC, INC. AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

Passed: All present voting "aye."

**4. Consideration of a Resolution Authorizing the Mayor to Sign All Documents Necessary and Proper to Execute a Contract with St. Andrew's Parish Parks and Playground Commission to Purchase eTrak-Plus Recreation Software for Use by the City of Kingsport Leisure Services Department (AF: 39-2013).** Assistant to the City Manager Chris McCartt stated this program would allow for tremendous improvement in customer service for parks and recreation by offering many options online, such as registration. Staff productivity and flexibility will also be increased as many operations will no longer be manual. Mr. McCartt discussed the financial benefits, noting it will be a seamless transition as this program is compatible with our current software. Mr. McCartt answered questions from the BMA and provided further details.

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Motion/Second: Parham/McIntire, to pass:

**Resolution No. 2013-123**, A RESOLUTION APPROVING A CONTRACT WITH ST. ANDREWS PARISH PARKS AND PLAYGROUND COMMISSION FOR THE PURCHASE OF ETRAK-PLUS RECREATION SOFTWARE, AND AUTHORIZING THE MAYOR TO EXECUTE THE CONTRACT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

Passed: All present voting "aye."

**5. Consideration of a Resolution Authorizing the Mayor to Execute an Agreement with KEDB for the Central Office of the School Department (AF: 40-2013).**

Motion/Second: Joh/McIntire, to pass:

**Resolution No. 2013-124**, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE INDUSTRIAL DEVELOPMENT BOARD OF THE CITY OF KINGSFORT, TENNESSEE FOR THE PURCHASE OF REAL PROPERTY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE THE PURCHASE OF THE PROPERTY

Passed: All present voting "aye."

**E. APPOINTMENTS/REAPPOINTMENTS.** None.

**VII. CONSENT AGENDA.** *(These items are considered under one motion.)*

Motion/Second: Segelhorst/McIntire, to adopt:

**1. Consideration of a Budget Ordinance Regarding MPO11B Resurfacing of Granby Road, Lewis Lane, and University Boulevard; and a Resolution Awarding the Bid for the Resurfacing of Granby Road, Lewis Lane, and University Boulevard Project to W-L Construction & Paving Inc. (AF: 27-2013).**

Adopt:

**Ordinance No. 6289**, AN ORDINANCE TO AMEND THE METROPOLITAN PLANNING BUDGET BY APPROPRIATING GRANT FUNDS RECEIVED FROM THE STATE OF TENNESSEE DEPARTMENT OF TRANSPORTATION (TDOT); AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Joh, McIntire, Parham, Segelhorst and Phillips voting "aye."

**2. Consideration of an Ordinance to Amend the Water Project Fund Budget (WA1300) by Reallocating from Other Water Projects (AF: 25-2013).**

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Adopt:

**Ordinance No. 6290**, AN ORDINANCE TO AMEND THE WATER PROJECT FUND BUDGET BY TRANSFERRING FUNDS TO THE KONNAROCK-TRUXTON WATERLINE UPGRADE PROJECT; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Joh, McIntire, Parham, Segelhorst and Phillips voting "aye."

**3. Consideration of an Approval of Offer for Easements and Right-of-Ways for Phase II of the Rock Springs Road Improvement Project (AF: 37-2013).**

Approve:

OFFERS FOR EASEMENTS AND RIGHTS-OF-WAY FOR PHASE II OF THE ROCK SPRINGS ROAD IMPROVEMENT PROJECT

Passed in a roll call vote: Joh, McIntire, Parham, Segelhorst and Phillips voting "aye."


**VIII. COMMUNICATIONS.**

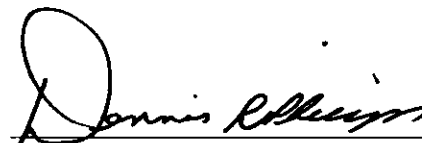
**A. CITY MANAGER.** Mr. Campbell complimented the Public Works department for their response in inclement weather and provided details on the salt distribution thus far this year.

**B. MAYOR AND BOARD MEMBERS.** Alderman McIntire echoed Mr. Campbell's remarks commending public works personnel. Alderman Joh stated she was looking forward to spring. Alderman Segelhorst thanked the Chamber of Commerce, Meadowview and everyone involved with the annual dinner last Friday, noting it was a great event. Vice-Mayor Parham also commended public works staff for their work when it snows. Mayor Phillips commented on the new law that allows fees to be added to credit card transactions. He stated that although credit card usage for city fees is currently limited, he hoped in the future the city would take credit cards for most services, if not all. However, in all fairness, the fee would have to be passed along to the credit card users, rather than making all tax payers liable.

**C. VISITORS.** None.

**IX. ADJOURN.** Seeing no other business for consideration at this meeting, Mayor Phillips adjourned the meeting at 7:30 p.m.

  
ANGELA MARSHALL  
Deputy City Recorder

  
DENNIS R. PHILLIPS  
Mayor